




George R. Hodges
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

IN RE:)	Chapter 7
)	Case No.: 10-40573
DONALD E. SMITH, JR.)	
KIM S. SMITH)	ORDER EXCUSING
)	ATTENDANCE AT
Debtor)	SECTION 341 MEETING
_____)	

ORDER

THIS CAUSE came on to be heard and was heard before the undersigned Bankruptcy Judge upon the Motion to Excuse Attendance at Section 341 Meeting. The Court after reviewing the file and the pleading in this matter makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Donald E Smith, Jr. and Kim S. Smith filed a Chapter 7 proceeding with the United States Bankruptcy Court for the Western District of the North Carolina on July 2, 2010. Robert M. Pitts is counsel for the debtors.
2. Donald E. Smith, Jr. passed away on August 13, 2010
3. The debtor, Donald E. Smith, Jr. was not able to attend the Section 341 Meeting scheduled for August 13, 2010 and will not be able to attend any rescheduled meeting. The motion of the debtor Kim S. Smith asked that the court excuse Donald E. Smith Jr.'s attendance at the meeting of creditors.
4. Within the allowed time no objections or other responses to the Motion were filed and the court finds that there is sufficient cause to allow the Motion to Excuse Attendance.

It is therefore **ORDERED**:

1. The appearance of Donald E. Smith, Jr. at the Section 341 Meeting is excused.

This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order.

United States Bankruptcy Court